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Washoe County District Attorney

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3 Deputy District Attorney
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5 (775) 337-5700
ATTORNEY FOR WASHOE COUNTY
6

7 UNITED STATES DISTRICT COURT

8 DISTRICT OF NEVADA

9 * * *

10 LAUREN KETTELL,

11 Plaintiffs,

Case No. 3:12-CV-00297-HDM-WGC

12 vs.

ANSWER

13 WASHOE COUNTY DEPUTY BRENT
COSS,

14 Defendant.
15 _____/

16
17 Comes now, Washoe County Deputy Brent Coss, Defendant, by
18 and through counsel, David C. Creekman, Chief Deputy District
19 Attorney and hereby files this answer to Plaintiff's Complaint
20 as follows:

21 1. Admit.

22 2. Admit.

23 3. Washoe County is without knowledge or information
24 sufficient to form a belief as to the truth of the allegations
25 in this paragraph.

26 4. Admit.

1 5. Denied.

2 6. Washoe County is without knowledge or information
3 sufficient to form a belief as to the truth of the allegations
4 in this paragraph.

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6 sufficient to form a belief as to the truth of the allegations
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21 47. Washoe County is without knowledge or information
22 sufficient to form a belief as to the truth of the allegations
23 in this paragraph.

24 48. Denied.

25 49. Denied.

26 50. Denied.

1 51. Denied.

2 52. Denied.

3 53. Denied.

4 54. Denied.

5 55. Denied.

6 56. Washoe County is without knowledge or information
7 sufficient to form a belief as to the truth of the allegations
8 in this paragraph.

9 57. Denied.

10 58. Denied.

11 59. Washoe County is without knowledge or information
12 sufficient to form a belief as to the truth of the allegations
13 in this paragraph.

14 60. Denied.

15 61. Denied.

16 62. Denied.

17 63. Denied.

18 64. Denied.

19 65. Denied.

20 66. Denied.

21 67. Washoe County is without knowledge or information
22 sufficient to form a belief as to the truth of the allegations
23 in this paragraph.

24 68. Denied.

25 69. Denied.

26 70. Denied.

1 71. Denied.

2 72. Denied.

3 73. Denied.

4 AFFIRMATIVE DEFENSES

5 FIRST AFFIRMATIVE DEFENSE

6 The Defendant enjoys qualified immunity from the causes of
7 action alleged.

8 SECOND AFFIRMATIVE DEFENSE

9 The occurrence referred to in Plaintiff's complaint, and
10 all damages, if any, arising therefrom, were caused by the acts
11 or omissions of the Plaintiff or a third person or persons over
12 whom this Defendant had no control.

13 THIRD AFFIRMATIVE DEFENSE

14 It has been necessary for Defendant to employ the services
15 of an attorney to defend this action, and a reasonable sum
16 should be allowed Defendant as and for attorney's fees,
17 together with their costs expended in this action.

18 **WHEREFORE**, Defendant prays as follows:

19 1. That Plaintiff take nothing by their Complaint; and,

20 2. That judgment be entered against Plaintiff and in
21 favor of Defendant; and,

22 3. That the Court allow Defendant's costs and a
23 reasonable attorney's fee; and,

24 ///

25 ///

26 ///

1 4. That the Court grant Defendant such additional or
2 alternate relief as it deems just and proper.

3 Dated this 20th day of August, 2012.

4 RICHARD A. GAMMICK
5 District Attorney

6 By /S/ DAVID C. CREEKMAN
7 DAVID C. CREEKMAN
8 Deputy District Attorney
9 P. O. Box 30083
10 Reno, NV 89520-3083
11 (775) 337-5700

12 ATTORNEYS FOR WASHOE COUNTY
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CERTIFICATE OF SERVICE

Pursuant to FRCP 5(b), I certify that I am an employee of the Office of the District Attorney of Washoe County, over the age of 21 years and not a party to nor interested in the within action. I certify that on this date a true and correct copy of the foregoing ANSWER was electronically mailed to the following:

Terri Keyser-Cooper, Esq.
Law Office of Terri Keyser-Cooper
3590 Barrymore Drive
Reno, NV 89512

Dated this 20th day of August, 2012.

/s/ Michelle Foster
MICHELLE FOSTER